

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

C. A. No. 06-91 (SLR)

ACUSHNET COMPANY,

Defendant.

**STIPULATED ORDER REGARDING ASSERTED CLAIMS**

The parties hereby stipulate and agree, subject to the approval and order of the Court, as follows:

1. In order to streamline the upcoming trial, Callaway Golf has agreed to reduce the number of asserted claims that it will present to claim 1 of U.S. Patent No. 6,210,293 (“the ‘293 patent”); claim 1 of U.S. Patent No. 6,503,156 (“the ‘156 patent”); claim 5 of U.S. Patent No. 6,506,130 (“the ‘130 patent”); and claim 3 of U.S. Patent No. 6,595,873 (“the ‘873 patent”).

2. In exchange, Acushnet has agreed that the determination in this matter of the validity of the claims identified in paragraph 1 shall apply to the validity of each of the other claims for which Acushnet has stipulated to infringement (i.e., for the ‘293 patent, the validity determination in this matter for claim 1 also applies to the validity of claims 4 and 5; for the ‘156 patent, the validity determination in this matter for claim 1 also applies to the validity of claims 2 and 3; and for the ‘873 patent, the validity determination in this matter for claim 3 also applies to the validity of claim 1).

FISH & RICHARDSON P.C.

By:/s/ Thomas L. Halkowski

Thomas L. Halkowski (#4099)  
222 Delaware Avenue, 17<sup>th</sup> Floor  
Suite 1100  
P.O. Box 1114  
Wilmington, DE 19899-1144  
Telephone: (302) 778-8401  
[halkowski@fr.com](mailto:halkowski@fr.com)

Attorneys for Plaintiff  
CALLAWAY GOLF COMPANY

POTTER ANDERSON AND CORROON LLP

By: /s/ Richard L. Horwitz

Richard L. Horwitz (#2246)  
David E. Moore (#3983)  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
Wilmington, DE 19801  
Telephone: (302) 984-6000  
[rhorwitz@potteranderson.com](mailto:rhorwitz@potteranderson.com)  
[dmoore@potteranderson.com](mailto:dmoore@potteranderson.com)

Attorneys for Defendant  
ACUSHNET COMPANY

SO ORDERED this \_\_\_, day of March, 2010.

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United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on March 22, 2010, I electronically filed with the Clerk of Court STIPULATED ORDER REGARDING ASSERTED CLAIMS using CM/ECF which will send electronic notification of such filing(s) to the following Delaware counsel. In addition, the filing will also be sent via electronic mail:

Richard L. Horwitz  
David E. Moore  
Potter Anderson & Corroon LLP  
1313 North Market Street, 6th Floor  
Hercules Plaza, 6th Floor  
P.O. Box 951  
Wilmington, DE 19899-0951

Attorneys for Defendant  
ACUSHNET COMPANY

Alan M. Grimaldi  
Joseph P. Lavelle  
Brian A. Rosenthal  
Howrey LLP - DC  
1299 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Attorneys for Defendant  
ACUSHNET COMPANY

/s/ Thomas L. Halkowski  
Thomas L. Halkowski